

Procedures for

# Nominating Minor Party & Independent Candidates in Washington State



*Washington*  
**Secretary of State**  
SAM REED

Procedures for  
**Nominating Minor Party  
and Independent Candidates  
In Washington State**

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## Introduction

Washington State has a tradition of actively encouraging its citizens to participate in our political system. The initiative and referendum process, the state voters pamphlet and election notice advertising are just a few examples of our heritage of promoting citizen involvement in our system of government.

Please read this pamphlet carefully. It is intended to explain some of the major features of state election law relating to procedures for nominating minor party and independent candidates. It is not intended to be a substitute for the statutes governing this process but rather should be read in conjunction with them.

If you have questions or need additional information, please contact your County Auditor or Elections Department or the Secretary of State's Elections Division. We will be happy to assist you.

A handwritten signature in black ink, reading "Sam Reed".

Sam Reed  
Secretary of State

## Definitions

A **convention** is an organized assemblage of registered voters representing an independent candidate or a minor political party.

An **election jurisdiction** is the state or any political subdivision or jurisdiction of the state from which partisan officials are elected.

An **independent candidate** is a candidate for partisan political office who does not represent himself or herself as a member of either a major political party or a minor political party.

A **major political party** is a political party of which at least one nominee for President and Vice President of the United States, United States Senator, or a state-wide office received at least five percent (5%) of the total election vote cast at the last preceding state general election in an even-numbered year. Major parties of which no nominee received at least ten percent (10%) of the total vote cast may revert to minor party status by filing with the secretary of state an appropriate rule within sixty (60) days of attaining major party status or before June 25<sup>th</sup>, 2004.\*

A **minor political party** is a political party which has nominated candidates for public office and for which no candidate for state-wide office received at least five percent (5%) of the vote at the last general election held in an even-numbered year.

A **nominating petition** is that document signed by a voter or group of voters supporting the nominations made at the minor party or independent candidate convention. Multiple petition sheets supporting the same minor party or independent candidate shall be considered a single nominating petition.

The **filing officer** is the Secretary of State if the nomination is made for an office in a district where voters from more than one county vote upon the office. It is the County Auditor (in King County, the Department of Records and Elections) if the office is in a district which is contained entirely within one county.

**Primary** means the nominating primary held for all partisan offices in the state except President and Vice President.

A **certificate of nomination** certifies that a candidate has been nominated by a minor party, or as an independent candidate, but does not include the nominating petitions.

A **supplemental nominating petition** is a document filed in lieu of the filing fee by a candidate who lacks adequate financial resources to pay the filing fee.

\*Subject to change

## **Nomination by Convention**

Any independent or minor party candidate desiring to have his or her name placed on the ballot as a candidate for partisan public office at any regularly scheduled election may begin the qualification process by holding a nominating convention not earlier than the last Saturday in June and not later than the first Saturday in July, or in the case of a vacancy in United States Congress, during any of the seven days immediately proceeding the first day for filing declarations of candidacy as fixed by RCW 29A.28.040.

Nominations of candidates for President and Vice President of the United States only may file by following the procedures listed above or by holding a similar convention no later than 70 days before the general election.

If a special filing period for a partisan office is opened under RCW 29A.24.210, candidates may file for office during that special filing period. The names of those candidates may not appear on the ballot unless they are nominated by convention held no later than five (5) days after the close of the special filing period and a certificate of nomination is filed with the filing officer no later than three (3) days after the convention.

## **Multiple Nominating Conventions**

A minor political party or independent candidate may hold more than one convention but in no case shall any convention nominate more than one candidate for any one partisan public office or position.

For the purpose of nominating candidates for the office of President and Vice President, United States Senator, United States Representative\*, or a statewide office, a minor party or independent candidate holding multiple conventions may add together the number of signatures from each convention obtained in support of the candidate or candidates in order to obtain the one thousand (1,000)\* valid signatures required by RCW 29A.20.140. However, none of the conventions may be attended by fewer than one hundred (100)\* registered voters (see below and RCW 29A.20.140).

For all other offices for which nominations are made, signatures of at least one hundred (100)\* registered voters must be obtained at a single convention.

## **Requirements for a Valid Nominating Convention**

To be valid, a convention must:

1. Have been called by a notice in a newspaper of general circulation, published in the county in which the convention is to be held, at least ten (10) days before the date of the convention. The notice must state the date, hour, and place the convention is to be held and must also include the mailing address of the person or organization sponsoring the convention (see sample Notice of Publication);

\*Subject to change

2. Be attended by *at least 100\* registered voters* from the election jurisdiction for which nominations are to be made.

In order to nominate candidates for the offices of President and Vice President of the United States, United States Senator, United States Representative\*, or any state-wide office, a nominating convention must obtain and submit to the filing officer the signatures of at least one thousand (1,000)\* registered voters of the state of Washington. In order to nominate candidates for any other office, a nominating convention must obtain and submit to the filing officer the signatures of one hundred (100)\* persons who are registered to vote in the jurisdiction of the office for which the nominations are made.

### **Certificate of Nomination: Content**

A certificate of nomination must:

1. Be in writing;
2. Contain the name of each person nominated, his or her residence, and the office for which he or she is named, and if the nomination is for the offices of President and Vice President of the United States, a sworn statement from both nominees giving their consent to the nomination (see sample Consent to Nomination);
3. Identify the minor political party or the independent candidate on whose behalf the convention was held;
4. Be verified by the oath of the presiding officer and secretary;
5. Be accompanied by a nominating petition or petitions bearing the signatures and addresses of registered voters equal in number to that required by RCW 29A.20.140.

*NOTE: A nominating petition submitted to the filing officer must clearly identify the name of the minor party or independent candidate as it appears on the Statement of Nomination. The petition must also contain a statement that the person signing the petition is a registered voter of the jurisdiction for which nominations are made and must have a space for the voter to sign his or her name and to print his or her name and address. No person may sign more than one minor party or independent candidate nominating petition for the same office (see sample nominating petitions);*

6. Contain proof of publication of the notice of calling the convention; and
7. Be submitted to the appropriate filing officer not later than one week following adjournment of the convention at which the nominations were made (see sample Statements of Nomination).

\*Subject to change

### **Certificate of Nomination: Where Filed**

If the nominations are made only for offices whose jurisdiction is entirely within one county, the certificate and nominating petitions are to be filed with the County Auditor (in King County, the Department of Records and Elections).

If a minor party or independent candidate convention nominates *any* candidate for office in a jurisdiction where voters from more than one county vote upon the office, *all* nominating petitions and the convention certificates are to be filed with the Office of the Secretary of State. If, for example, a candidate for statewide office and a candidate for a legislative district entirely within one county were nominated at the same convention, *all* materials would be filed with the Office of the Secretary of State.

### **Presidential Electors**

If a minor political party or independent candidate convention nominates candidates for the offices of President and Vice President of the United States, they must submit a list of presidential electors to the Office of the Secretary of State.

The list may be submitted with the Statement of Nomination (see sample on Page 14), or may be submitted with a letter of transmittal signed by the presiding officer of the convention, not more than ten (10) days after the convention adjourns.

### **Verification of Signatures**

Upon receipt of the Certificate of Nomination, the filing officer must check the certificate and verify the signatures on the accompanying nominating petition to determine if the requirements of RCW 29A.20.140 have been met. Once the determination has been made, the filing officer is required to notify the presiding officer of the convention and any other persons requesting the notification, of his or her decision regarding the sufficiency of the certificate or the nominating petition.

Any appeal regarding the filing officer's determination must be filed with the Superior Court of the county in which the certificate or petitions were filed not later than five (5) days from the date the determination is made. Nominating petitions are not available for public inspection or copying.

The Secretary of State must notify county auditors of the names and designations of all minor party and independent candidates who have filed valid convention certificates and nominating petitions with that office no later than the Friday immediately preceding the first day for candidates to file for office as provided by state law (RCW 29A.20.200).

## Declarations of Candidacy

If a nominating certificate is valid, each candidate (except for the positions of President or Vice President) will be eligible to file a Declaration of Candidacy with the filing officer with whom the convention report was filed. It must be accompanied by a fee prescribed for that office (1% of the annual salary).

Persons without adequate financial resources may file a Supplemental Nominating Petition in lieu of the filing fee at the same time they file the Declaration of Candidacy. The Supplemental Nominating Petition must be signed by a number of registered voters equal to the dollar amount of the filing fee\* (see sample Supplemental Nominating Petition).

The Declaration of Candidacy must be filed with the appropriate filing officer during the filing period in order for the candidate's name to appear on the primary ballot. The filing period is established by statute as the fourth Monday in July through the following Friday.

**\*NOTE:** *The Supplemental Nominating Petition is not the same as the nominating petition required by RCW 29A.20.140. It is a method whereby any candidate, including major party candidates, may qualify for the ballot if they cannot pay the filing fee (RCW 29A.24.090, .100, .110 and 29A.84.260).*

## What Names Appear on the Ballot

The names of candidates of the major political parties will appear on the partisan primary ballot. Minor political party and independent candidates, who have been nominated in the preceding manner, may appear only on the general election ballot.\* Candidates for the positions of President and Vice President will not appear on the presidential primary ballot but will automatically appear on the general election ballot.

A candidate whose name appears on the primary ballot will be certified to have his or her name placed on the general election ballot **if** he or she receives at least one percent (1%) of the **total** votes cast for that position. Additionally, major party candidates must receive more votes than any other candidate of the same political party for that office in order to qualify for the general election ballot.

## Nominations by Write-In

Any person desiring to run as an independent or minor party write-in candidate should contact either their County Auditor (in King County the Department of Records and Elections) or the Office of the Secretary of State for information regarding this procedure.

\*Subject to change



## Information and Assistance

For additional information and assistance, call your County Auditor or Elections Department (under government listings in your telephone directory), or contact the Office of the Secretary of State.

Elections Division  
Office of the Secretary of State  
520 Union Ave. SE • PO Box 40220  
Olympia, Washington 98504-0220  
Phone: (360) 902-4180 • Fax: (360) 664-4619  
TDD: 1-800-422-8683  
E-mail: [elections@secstate.wa.gov](mailto:elections@secstate.wa.gov)  
Internet: [www.secstate.wa.gov](http://www.secstate.wa.gov)



*If you need this information in an alternate format,  
please contact the Office of the Secretary of State at the numbers listed above.*

# **Forms and Sample Documents For Nominating Minor Party and Independent Candidates**

# Sample Notice of Convention and Affidavit of Publication

## Affidavit of Publication

STATE OF WASHINGTON }  
County of Spokane. } ss.

I, Janice Medlock do solemnly swear that I am the  
Principal Clerk of the Review/Chronicle, a newspaper established and

**NOTICE CALLING  
NOMINATING CONVENTION**  
Pursuant to RCW 29.24.030(2),  
a convention is hereby called  
for Saturday, July 23, 1988, be-  
ginning at 10:00 a.m., to be  
held at B. A. Clarke park, cor-  
ner of Division and LaCrosse  
streets, Spokane, Spokane  
County, Washington, to nomi-  
nate Ron Paul of Texas as a  
candidate of the Libertarian  
Party for the office of Presi-  
dent of the United States and  
Andre Marrou of Nevada as a  
candidate of the same party  
for the office of Vice President  
of the United States, together  
with nine individuals as Presi-  
dential Electors for the state of  
Washington pledged to vote  
for them as set forth in RCW  
29.71.040.  
Dated July 13, 1988  
Organization sponsoring con-  
vention:  
Libertarian Party of  
Spokane County  
P.O. Box 5245  
Spokane, Washington 99205

regularly published, once each Day  
{ (Week) }  
{ (Day) } in the English language, in and of general circulation in the  
City of Spokane, Spokane County, Washington; that said newspaper  
has been so established and regularly published and has had said  
general circulation continuously for more than six (6) months prior  
to the 23rd day of July, 1941; that said newspaper is printed in an of-  
fice maintained at its place of publication in the City of Spokane,  
Washington; that said newspaper was approved and designated as a  
legal newspaper by order of the Superior Court of the State of Wash-  
ington for Spokane County on the 23rd day of July, 1941, and that said  
order has not been revoked and is in full force and effect; that the  
notice attached hereto and which is a part of the proof of publication,  
was published in said newspaper one times, the  
publication having been made once each issue  
from the 13th day of July A. D. 19 88,  
to the notice day of notice A. D. 19 88.  
That said notice was published in the regular and entire issue  
of every number of the paper during the period of time of publica-  
tion, and that the notice was published in the newspaper proper and  
not in a supplement.

Janice Medlock  
Subscribed and sworn to before me at the City of Spokane, this  
19 day of July, 19 88

Barbara DeHeer  
Notary Public in and for the State of Washington,  
residing at Spokane, Wash.



## Minor Political Party Nominating Petition

### REGISTERED VOTER'S DECLARATION

I, the undersigned, hereby declare, under penalties of law, that I am a registered voter of the state of Washington and that I personally attended the nominating convention of the

\_\_\_\_\_ held in the city of \_\_\_\_\_  
Name of Political Party  
\_\_\_\_\_ on \_\_\_\_\_  
City Date

I request that this declaration be considered as part of the nominating petition for each candidate nominated by the above named convention for whom I am legally entitled to vote.

The address at which I am *registered for voting*\* is as follows:

\_\_\_\_\_  
Street & Number or Rural Route  
\_\_\_\_\_  
City or Town County  
\_\_\_\_\_  
Signature Print Name for Positive Identification

**\*NOTE:** It is essential that you provide the correct address where you are **registered for voting**. Election officers will use this information to verify your registration status. A mistake in your address information could cause your declaration to be disqualified.

## Independent Candidate Nominating Petition

### REGISTERED VOTER'S DECLARATION

I, the undersigned, hereby declare, under penalties of law, that I am a registered voter of the state of Washington and that I personally attended the nominating convention of

\_\_\_\_\_ Name(s) of Independent Candidate(s)  
held in the city of \_\_\_\_\_ on \_\_\_\_\_  
City Date

I request that this declaration be considered as part of the nominating petition for each candidate nominated by the above named convention for whom I am legally entitled to vote.

The address at which I am *registered for voting*\* is as follows:

\_\_\_\_\_ Street & Number or Rural Route  
\_\_\_\_\_  
City or Town County  
\_\_\_\_\_  
Signature Print Name for Positive Identification

**\*NOTE:** It is essential that you provide the correct address where you are *registered for voting*. Election officers will use this information to verify your registration status. A mistake in your address information could cause your declaration to be disqualified.

## Sample Statement of Nomination

This is to certify that a Premium Party convention of no less than one hundred (100)\* registered voters was held at Pike Street and Third Avenue, Seattle, Washington, on June 27, 2004, commencing at the hour of 10:00 a.m., for the purpose of placing a candidate in nomination for the primary to be held on September 14, 2004.

The following person was nominated by this convention:

For the office of State Senator, 45<sup>th</sup> Legislative District:

Dale Wilson  
222 South Main St.  
Seattle WA 98144

Included as part of this certificate of nomination are declarations signed by at least one hundred (100)\* registered voters who were present at the convention. The declarations include the voting address of all signers.

Also included as part of this certificate of nomination is an affidavit of publication showing proof of publication of the notice calling the convention.

The convention adjourned at 2:00 p.m. on June 27, 2004.

Mary Jones, Chairperson/Presiding Officer  
915 Maple St.  
Seattle WA 98144

Joe Smith, Secretary  
123 144<sup>th</sup> N.E.  
Seattle WA 98144

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_ and \_\_\_\_\_  
each being first duly sworn, on oath individually deposes and says, each for himself or herself, that:

They are respectively the presiding officer and secretary of the convention described above. He or she has read the foregoing portion of this certificate together with all the attachments and believes them all to be true.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

Notary Public in and for the state of Washington, residing at

My commission expires \_\_\_\_\_

\*Subject to change

## Sample Statement of Nomination of Independent/Minor Party Candidates for President and Vice President

*We hereby certify that:*

On Saturday, June 27, 2004, commencing at the hour of 11:30 a.m., a convention was held at Columbia High School, 123 North Street, Olympia, Thurston County, Washington.

The convention was called by publication of a notice in the newspaper, proof of which is attached as part of this certificate.

The purpose of this convention was to nominate candidates for the offices of President of the United States and Vice President of the United States.

The convention was attended by at least one thousand (1,000)\* individuals who are registered to vote in the state of Washington.

The following candidates were nominated at the convention:

For the office of  
President of the United States:

David White  
203 West 5<sup>th</sup> St.  
Olympia WA 98502

For the office of  
Vice President of the United States:

Jane Smith  
123 4<sup>th</sup> St.  
Olympia WA 98501

Following are the names of presidential electors for the state of Washington who were selected by this convention:

**Name of Elector**

**Address of Elector**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_

(Continued on next page)

\*Subject to change



Individual sworn statements of consent for each candidate are included as part of this certification.

Also included as part of this certification are declarations signed by at least one thousand (1,000)\* registered voters who were present at the convention. The declarations include the voting addresses of all signers.

The convention adjourned at 5:00 p.m. on June 27, 2004.

John Smith, Chairperson/Presiding Officer  
1021 Tenth Avenue  
Olympia WA 98502

Sam Jones, Secretary  
215 45<sup>th</sup> N.E.  
Olympia WA 98503

STATE OF WASHINGTON )  
 ) ss  
COUNTY OF \_\_\_\_\_ )

\_\_\_\_\_ and \_\_\_\_\_  
each being first duly sworn, on oath individually deposes and says, each for himself or herself that:

They are respectively the presiding officer and secretary of the convention described above. He or she has read the foregoing portion of this certificate together with all the attachments and believes them all to be true.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Notary's Signature

Notary Public in and for the state of Washington, residing at

My commission expires \_\_\_\_\_

\*Subject to change

**Supplemental Nominating Petition**  
(Submitted in lieu of the filing fee required by RCW 29A.24.090)

We, the undersigned registered voters of \_\_\_\_\_  
Political Subdivision for Which the Nomination is Made

hereby petition that the name of \_\_\_\_\_ be printed on the official ballot for  
Candidate's Name

the office of \_\_\_\_\_  
Name of Office (Including District or Position Number)

<b>WARNING</b>	Any person who signs this petition with any other than his or her true name, or who knowingly (1) signs more than one petition for any single candidate, (2) signs the petition when he or she is not a legal voter or (3) makes any false statement may be subject to fine, or imprisonment, or both.
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Signature	Printed Name	Residence Address	City	County
1)				
2)				
3)				
4)				
5)				
6)				
7)				
8)				
9)				
10)				